

COMPENSATION BOARD DOCKET #22/03

October 28, 2021

307-22-04: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

CONSENT DOCKET

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VARIOUS	SHERIFF	October 20, 2021 - Officers request to transfer accumulated Vacancy Savings to Temporary/Office Expense categories.	\$0.00	Approved per the Compensation Board's FY22 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.

FIPS	Office Code	Locality Name	Request Date	From Category	To Category	Amount Available	Amount Requested
001	307	Accomack County	10/20/2021	Vacancy Savings	Office Expense	\$56,959.80	\$56,959.80
087	307	Henrico County	10/20/2021	Vacancy Savings	Temporary	\$132,926.31	\$66,463.15
087	307	Henrico County	10/20/2021	Vacancy Savings	Office Expense	\$0.00	\$66,463.15
165	307	Rockingham County	10/20/2021	Vacancy Savings	Office Expense	\$44,124.97	\$15,000.00
405	307	Albemarle/Charl Reg..Jail	10/20/2021	Vacancy Savings	Temporary	\$89,038.63	\$89,038.63
450	307	Rappahannock Sec Ctr.	10/20/2021	Vacancy Savings	Temporary	\$211,006.68	\$211,006.68
455	307	Western Tidewater Reg. Jail	10/20/2021	Vacancy Savings	Office Expense	\$53,592.00	\$53,592.00
460	307	Pamunkey Reg. Jail	10/20/2021	Vacancy Savings	Temporary	\$43,330.01	\$43,330.01
465	307	Riverside Reg. Jail	10/20/2021	Vacancy Savings	Office Expense	\$455,945.73	\$455,945.73
485	307	Blue Ridge Reg. Jail	10/20/2021	Vacancy Savings	Office Expense	\$431,376.85	\$431,376.85
493	307	Middle River Reg. Jail	10/20/2021	Vacancy Savings	Temporary	\$120,092.79	\$83,432.00
493	307	Middle River Reg. Jail	10/20/2021	Vacancy Savings	Office Expense	\$0.00	\$36,660.79
494	307	Western Virginia Reg. Jail	10/20/2021	Vacancy Savings	Office Expense	\$73,860.35	\$48,604.14
495	307	Meherrin River Reg. Jail	10/20/2021	Vacancy Savings	Office Expense	\$237,301.60	\$237,301.60
496	307	RSW Reg. Jail	10/20/2021	Vacancy Savings	Office Expense	\$116,944.94	\$116,944.94
650	307	Hampton County	10/20/2021	Vacancy Savings	Office Expense	\$369,597.19	\$185,737.26
710	307	Norfolk City	10/20/2021	Vacancy Savings	Temporary	\$334,925.75	\$164,737.09
		Totals				\$2,771,023.60	\$2,362,593.82

307-22-04: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CHESTERFIELD COUNTY	SHERIFF	<p>October 1, 2021 Officer requests in accordance with §15.2-1606 to reimburse Chesterfield County for Defense Counsel at \$1,792.50.</p> <p>Staff notes that a memo dated March 31, 2021 from the Division of Risk Management states that counsel would not be provided in this case as the Plaintiff was not seeking monetary damages from the Sheriff. Pursuant to §15.2-1606, the Judge appointed counsel to defend the sheriff in this matter.</p>		\$1,792.50	The Compensation Board approved reimbursement of \$1,792.50 for expenses incurred in accordance with §15.2-1606, Code of Virginia.

772-22-04: COMMONWEALTH'S ATTORNEYS

OLD BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
HENRICO COUNTY	COMMONWEALTH'S ATTORNEY	<p>At its June 24, 2021 meeting, the Compensation Board approved reimbursement of \$608.00 for defense counsel expenses incurred in February & March, 2021, in accordance with §15.2-1606, Code of Virginia. The Compensation Board deferred action on the request at the same time for reimbursement of \$190 for expenses incurred in January-March, 2019 pending further review of documentation by staff and verification with officer and locality.</p> <p>October 21, 2021, staff reviewed prior reimbursement approvals from FY19 and confirmed that billing for \$190 for this case for defense counsel for the period of January 2019-March 2019 has not been previously reimbursed. While expenses were incurred in 2019, the County did not pay them until the spring of 2021. Officer initially requested reimbursement in June, 2021.</p> <p>Staff notes that memos dated June 15, 2018 and June 11, 2019 from the Division of Risk Management both state that counsel would not be provided in this case as the Plaintiff was not seeking monetary damages from the Commonwealth's Attorney. Pursuant to §15.2-1606, the Judge appointed counsel to defend the officer in this matter.</p>		\$190.00	The Compensation Board approved reimbursement of \$190.00 for expenses incurred in accordance with §15.2-1606, Code of Virginia.

772-22-04: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

CONSENT DOCKET

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
HENRICO COUNTY	COMMONWEALTH'S ATTORNEY	October 25, 2021 Officer requests in accordance with §15.2-1606 and §15.2-1636.14 to reimburse Henrico County for Defense Counsel at \$21,706.99. Staff notes that a memo dated May 10, 2021 from the Division of Risk Management states that counsel would not be provided in this case as the Plaintiff was not seeking monetary damages from the Commonwealth's Attorney. Pursuant to §15.2-1606, the Judge appointed counsel to defend the officer and other staff in this matter.	\$21,706.99	The Compensation Board approved reimbursement of \$21,706.99 for expenses incurred in accordance with §15.2-1606, Code of Virginia.
NORFOLK CITY	COMMONWEALTH'S ATTORNEY	October 11, 2021 - Officer requests to transfer accumulated Vacancy Savings to the Temporary Funds budget category.	\$0.00	Approved per the Compensation Board's FY22 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.

FIPS	Office Code	Locality Name	Request Date	From Category	To Category	Amount Available	Amount Requested
710	772	NORFOLK CITY	10/11/2021	Vacancy Savings	Temporary	\$25,317.82	\$25,317.82

VARIOUS	COMMONWEALTH'S ATTORNEY	October 21, 2021 - Officer(s) request an exception to the Substitute Prosecutor 60-day reimbursement policy. Expenses for travel for the cases below were received by the Compensation Board after the 60-day reimbursement period.	\$352.69	Approved as a one-time exception to policy, based upon the specific conditions stated by the officers.
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FIPS	Office	Locality	Prosecutor	Expenses From - To	Defendant	Total
071	772	Giles	Debra K. Sifford	11/18/20, 4/28 & 6/9 2021	William Arles Pyles	\$264.42
083	772	Halifax	Leslie E. Schneider	7/16/2021	Larry Yarbrough	\$29.12
570	772	Colonial Heights	Matthew M Gravens	9/29/2020-5/17/2021	King Shabazz	\$59.15
		Total				\$352.69

773-22-04: CIRCUIT COURT CLERKS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
PULASKI COUNTY	CIRCUIT COURT CLERK	<p>October 18, 2021 Officer requests a base Temporary Funds Transfer in the amount of \$840 to position number 00006, SCT, budgeted at \$32,193 in order to fund a class change to DCII, at \$33,033, effective October 1, 2021.</p> <p>Officer acknowledges that taking action to move base temporary funds to salaries of existing personnel may significantly reduce her options in dealing with any potential future funding reductions without impacting salaries of permanent staff.</p>		\$0.00	The Compensation Board approved a transfer of \$840 from base Temporary salary funds to effect the salary actions requested by the officer in accordance with the Compensation Board's pay and classification policy. This action will result in a reduction in the officer's base Temporary salary budget in the current as well as in subsequent fiscal years

FIPS	Office Code	Locality Name	Request Date	From Category	Current Base	New Base	Amount Requested	Pro-Rated for FY21
155	773	Pulaski County	10/18/21	Temporary	\$840	\$0	\$840	\$630

771-22-04: COMMISSIONERS OF THE REVENUE

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CITY OF CHESAPEAKE	COMMISSIONER	<p>October 18, 2021 Acting Officer requests additional Temporary Funding in the amount of \$5,073.73. This is equivalent to the current salary of position 00011, MDC3 budgeted at \$55,811 from October 1, 2021 to November 2, 2021. The election will be held on November 2, 2021. Acting Officer states that this request is made in lieu of a request to transfer these funds to their Temporary Funds budget, as she understands that the Compensation Board's interpretation of §24.2-226 and 228 is that the position 00011 MDC3 is not vacant during the period in which she is the Acting Commissioner of the Revenue, consequently funds cannot be transferred from the position.</p>		\$0.00	Approved at no additional cost to the Compensation Board.

774-22-04: TREASURERS

NONE.

OTHER MATTERS

NEW BUSINESS:

			REGULAR DOCKET		
	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
1.	MEETING MINUTES	COMPENSATION BOARD	Staff presents minutes for approval as follows: Docket #22/03.	N/A	Approved.
2.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Thursday, November 18, 2021 at 10:00 a.m. and Thursday, December 16, 2021 at 10:00 a.m.	N/A	Confirmed.
3.	NEW OFFICER TRAINING	COMPENSATION BOARD	The Compensation Board's New Officer Training is scheduled for December 8-10, 2021. Staff is planning for an in-person conference in 2021. Staff is aware at this time of an estimated 37 new officers that may be invited to attend.	N/A	Noted.
4.	JAIL COST REPORT	COMPENSATION BOARD	Staff presents the FY2020 Jail Cost Report.	N/A	Approved.
5.	STATUS REPORT ON NCSC STUDY OF COMM ATTYS WORKLOAD	COMPENSATION BOARD	Staff presents the draft status report from the National Center for State Courts on the workload and staffing study for Assistant Commonwealth's Attorneys, for submission to the legislative appropriations committees.	N/A	Approved.
6.	TECHNOLOGY TRUST FUND COLLECTIONS & BUDGETING	COMPENSATION BOARD	<p>Collections: FY22 collections for July through September totaled \$2,280,650.15, a decrease of 2.26% compared to the same period of collections in FY21.</p> <p>Expenditures: FY22 year-to-date Clerk's expenditures through 10/27/21, totaled \$1,562,264.21 or 15.65% of budgeted Technology Trust Funds.</p> <p>Projections: Based on current collections to date, FY22 TTF total collections would be approximately \$9.52 million, a decrease of 5.07% compared to FY21 collections</p>	N/A	Noted.

CLOSED MEETING
COMPENSATION BOARD DOCKET #22/04
October 28, 2021

NO CLOSED MEETING.

1) **MOTION FOR “CLOSED MEETING” by Chairman Tyrone Nelson. (_____ seconded the motion).**

- ☐ Under the provisions of Section 2.2-3711.A.1, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** to discuss personnel issues—discussion of interview applicants, assignment, appointment, promotion, performance, salaries, discipline or resignation of specific officers, appointees or employees.
- ☐ Under the provisions of Section 2.2-3711.A.7, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** for consultation with legal counsel and/or briefing by staff members pertaining to actual or “probable litigation” concerning

When the closed meeting is complete, the public body must ***immediately*** reconvene in open session and take a recorded vote of its members in roll call fashion.

MOTION BY CHAIRMAN (vacant): I move to certify that only public business exempt from the Act was discussed.
(_____ seconded the motion.)

Tyrone Nelson, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Staci Henshaw, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

AND

MOTION BY CHAIRMAN (vacant): I move to certify that only public business matters identified in the motion to convene the closed meeting were discussed. (_____ seconded the motion.)

Tyrone Nelson, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Staci Henshaw, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Any member who cannot certify must state the specific details of the unauthorized discussion on the record. That record can be used as evidence in a lawsuit brought against the public body for violating the Act.

FOR YOUR INFORMATION NONE.

Public Body: Compensation Board
Date: October 28, 2021
Time: 10:00 a.m.
Location: Compensation Board Conference Room
Oliver Hill Building, 102 Governor Street
Richmond, VA 23219
Members: Tyrone Nelson, Chairman (present)
Craig Burns, Ex Officio member (absent)
Staci Henshaw, Ex Officio member (present)

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